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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,764	08/07/2001	Stephen E. Frazier	15503.5_DIV	9393

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EXAMINER

HENDRICKSON, STUART L

ART UNIT

PAPER NUMBER

1754

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

21/923184

Applicant(s)

Kraus

Examiner

D. J. J. J.

Group Art Unit

1/84

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 11/2/04
- ☐ This action is FINAL
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 64-66, 75 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 64-66, 75 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other Advisory action 2/11/04 is waived

Office Action Summary

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action. The request filed on 1/12/04 for Continued examination (RCE) based on parent Application No. 09/923764 is acceptable.

Claims 64-66 and 75 are rejected under 35 U.S.C. 103(a) as obvious over Aibe et al. taken with Gai.

Aibe teaches in columns 5, 8 and 28 impregnating active carbon with a dilute aqueous solution of KI only. The impregnation is deemed uniform, since the material has the whole outside surface contacted with the solution. The degree of saturation is an obvious expedient to optimize the reactivity versus cost; In re Boesch 205 USPQ 215, noting also Gai pg. 41.

The reference does not explicitly use 'granular' carbon (see column 31), however Gai pg. 48 teaches granular as an useful form. Using granules is an obvious expedient to increase the utility to include gas masks, nuclear stations etc.

Claims 64-66 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gai taken with Aibe.

Gai teaches on pgs. 41, 44 and 49 doping activated carbon granules with 1.5% KI. The sole difference is that Gai does not teach heating to dry.

However, Aibe teaches drying KI impregnated active carbon by low-temperature heating. Using this in the process of Gai is an obvious expedient to quickly dry the material.

Applicant's arguments with respect to claims 64-66 and 75 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication should be directed to examiner Hendrickson at telephone number (571) 272-1351.



Stuart Hendrickson  
examiner Art Unit 1754